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July 1, 1998

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THOMAS J. HUTTON
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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VIA HAND DELIVERY

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: In the Matter of Amendment of Section 73.202(b),
Table of Allotments, FM Broadcast Stations
(Casper, Wyoming)
MM Docket No. 98-59, RM-9256

Dear Ms. Salas:


Transmitted herewith, on behalf of Mount Rushmore Broadcasting, Inc., is an original and four copies of an Amendment to its Reply Comments in the above-captioned rule making proceeding. The Amendment provides a summary and table of contents, which were inadvertently not included in the Reply Comments.

An extra copy of the filing is enclosed. Please date-stamp the extra copy and return it to the courier for return to me.

If you have any questions, please contact the undersigned.

Very truly yours,

HOLLAND & KNIGHT LLP


Thomas J. Hutton
Counsel for
Mount Rushmore Broadcasting, Inc.

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Enclosure

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SUMMARY

Mount Rushmore Broadcasting, Inc. ("Mount Rushmore") submits these Reply Comments to the Counterproposal filed by Mountain States Radio, Inc. ("Mountain States") on June 15, 1998, which was filed as a Counterproposal with respect to the Notice of Proposed Rule Making ("NPRM") released by the Allocations Branch on April 24, 1998 (DA 98-771). The NPRM, issued at the request of Citicasters Co. ("Jacor"), proposes to allot Channels 228C1, 243C1, and 263C1 to Casper, Wyoming as that community's eighth, ninth, and tenth local commercial FM stations. Mountain States, in its Counterproposal, proposes the allotment of Channel 228C1 to Guernsey, Wyoming; Channel 242C to Lusk, Wyoming; and Channel 262C to Sinclair, Wyoming.

The Mountain States Counterproposal is preferable to Jacor's initial proposal, as reflected in the NPRM. However, Mount Rushmore respectfully urges the Commission to reexamine its FM allocation policy, so as to better serve the public interest. The current FM allocation policy no longer meets the Commission's objective under Section 307(b) of the Communications Act of 1934 (the "Act"), as amended, and the policy may be detrimental to the enhancement of minority ownership of FM broadcast stations. The Commission has a statutory obligation under Section 309(j) of the Act as well as an historic commitment to encouraging minority participation in the telecommunications industry. Accordingly, in conjunction with the Commission's pending rule making on auction procedures for mutually exclusive commercial broadcast license applications (*Notice of Proposed Rule Making*, MM Docket 97-234, GC Docket No. 92-52, GEN Docket No. 90-264 (rel. Nov. 26, 1997)) and with its notice of inquiry on the broadcast ownership rules (*Notice of Inquiry*, MM Docket No. 98-35 (rel. Mar. 13, 1998)), the Commission should institute a notice of inquiry to determine (1) whether the current FM allocation policy

continues to meet the Commission's obligation under Section 307(b) of the Act and (2) whether the policy has been detrimental to the enhancement of minority ownership of FM broadcast stations.

Alternatively, if the Commission nonetheless decides to apply its current FM allocation policy here, then Mount Rushmore proposes to allot Channel 228A to Lusk and Elk Mountain, Wyoming; Channel 243A to Medicine Bow and Manville, Wyoming; and Channel 263A to Encampment, Wyoming and Channel 263C1 to Fort Washakie, Wyoming. Mount Rushmore's proposals are the preferred allocations because with respect to each channel proposed by Mountain States, Mount Rushmore proposes to allot a first local service to two communities rather than to only one community as requested by Mountain States. Further, neither Jacor nor Mountain States proposed to provide any new channel to communities with a significant minority population. Mount Rushmore, on the other hand, demonstrates that one of the subject channels could be allocated to Fort Washakie, a community of 1334 on the Wind River Indian Reservation. Accordingly, the public interest favors a grant of Mount Rushmore's proposed allocations.

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CERTIFICATE OF SERVICE


I, Ellen Dorsey, an employee of Holland & Knight LLP, hereby certify that on July 1, 1998, a copy of the foregoing Amendment to Reply Comments of Mount Rushmore Broadcasting, Inc. was served by first class U.S. Mail, postage prepaid, to the following:

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